

SSB 5269 - S AMD 44
By Senator McAuliffe

ADOPTED AS AMENDED 03/06/2007

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that:

4 (1) Teaching first peoples' languages and cultures is a critical
5 factor in successful educational experiences and promoting cultural
6 sensitivity for all students. Experience shows such teaching
7 dramatically raises student achievement. The effect is particularly
8 strong for Native American students;

9 (2) Native American students have the highest high school dropout
10 rate among all groups of students. Less than one-fourth of Native
11 American students in the class of 2008 are on track to graduate based
12 on the results of the Washington assessment of student learning.
13 Positive and supportive educational experiences are critical for Native
14 American students' success;

15 (3) The sole expertise of sovereign tribal governments in the
16 transmission of their indigenous languages, heritage, cultural
17 knowledge, customs, and traditions should be honored;

18 (4) Government-to-government collaboration between the state and
19 the sovereign tribal governments whose traditional lands and
20 territories lie within the borders of the state of Washington serves to
21 implement the spirit of the 1989 centennial accord and other similar
22 government-to-government agreements, including the 2004 accord between
23 the federally recognized Indian tribes with treaty reserved rights in
24 Washington state and the state of Washington;

25 (5) Establishing a first peoples' language and culture teacher
26 certification program both achieves educational objectives and models
27 effective government-to-government relationships;

28 (6) Establishing a first peoples' language and culture
29 certification program implements the following policy objectives of

1 P.L. 101-477, the federal Native American languages act of 1990, in a
2 tangible way:

3 (a) To preserve, protect, and promote the rights and freedom of
4 Native Americans to use, practice, and develop Native American
5 languages;

6 (b) To allow exceptions to teacher certification requirements for
7 federal programs and programs funded in whole or in part by the federal
8 government, for instruction in Native American languages when such
9 teacher certification requirements hinder the employment of qualified
10 teachers who teach in Native American languages, and to encourage state
11 and territorial governments to make similar exceptions;

12 (c) To encourage and support the use of Native American languages
13 as a medium of instruction in order to encourage and support Native
14 American language survival, educational opportunity, increased student
15 success and performance, increased student awareness and knowledge of
16 their culture, and increased student and community pride;

17 (d) To encourage state and local education programs to work with
18 Native American parents, educators, Indian tribes, and other Native
19 American governing bodies in the implementation of programs to put this
20 policy into effect; and

21 (e) To encourage all institutions of elementary, secondary, and
22 higher education, where appropriate, to include Native American
23 languages in the curriculum in the same manner as foreign languages and
24 to grant proficiency in Native American languages the same full
25 academic credit as proficiency in foreign languages;

26 (7) Establishing a first peoples' language and culture
27 certification program is consistent with the intent of presidential
28 executive order number 13336 from 2004, entitled "American Indian and
29 Alaska native education," to assist students in meeting the challenging
30 student academic standards of P.L. 107-110, the no child left behind
31 act of 2001, in a manner that is consistent with tribal traditions,
32 languages, and cultures.

33 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.410
34 RCW to read as follows:

35 (1) The Washington state first peoples' language and culture
36 teacher certification program is established. The professional
37 educator standards board shall adopt rules to implement the program in

1 collaboration with the sovereign tribal governments whose traditional
2 lands and territories lie within the borders of the state of
3 Washington, including the tribal leader congress on education and the
4 first peoples' language and culture committee. The collaboration
5 required under this section shall be defined by a protocol for
6 cogovernance in the first peoples' language and culture teacher
7 certification program developed by the professional educator standards
8 board, the office of the superintendent of public instruction, and the
9 sovereign tribal governments whose traditional lands and territories
10 lie within the borders of the state of Washington.

11 (2) Any sovereign tribal government whose traditional lands and
12 territories lie within the borders of the state of Washington may
13 participate individually on a government-to-government basis in the
14 program.

15 (3) Under the first peoples' language and culture teacher
16 certification program:

17 (a) Only a participating sovereign tribal government may certify
18 individuals who meet the tribe's criteria for certification as a
19 teacher in the Washington state first peoples' language and culture
20 program. Before certification of the individual, the participating
21 sovereign tribal government may conduct a background check through the
22 tribal police departments within Washington state to determine, to the
23 extent possible, whether the individual has been convicted of any
24 crimes that may otherwise disqualify the person from being awarded a
25 teacher certificate and provide the information to the office of the
26 superintendent of public instruction. The office of the superintendent
27 of public instruction shall not authorize or accept a certificate or
28 endorsement in Washington state first peoples' language and culture
29 without certification from a participating sovereign tribal government
30 and without conducting a record check of an individual applying for
31 certification as required under RCW 28A.410.010;

32 (b) For each teacher to be certified in the program, the
33 participating sovereign tribal government shall submit information and
34 documentation necessary for the issuance of a state certificate, as
35 defined by rule, to the office of the superintendent of public
36 instruction;

37 (c) A Washington state first peoples' language and culture teacher
38 certificate serves as a subject area endorsement in first peoples'

1 language and culture. The holder of a Washington state first peoples'
2 language and culture teacher certificate who does not also hold an
3 initial, residency, continuing, or professional teaching certificate
4 authorized by the professional educator standards board may be assigned
5 to teach only the languages and cultures designated on the certificate
6 and no other subject;

7 (d) In order to teach first peoples' language and culture, teachers
8 must hold certificates from both the office of the superintendent of
9 public instruction and from the sovereign tribal government; and

10 (e) The holder of a Washington state first peoples' language and
11 culture teacher certificate meets Washington state's definition of a
12 highly qualified teacher under P.L. 107-110, the no child left behind
13 act of 2001, for the purposes of teaching first peoples' language and
14 culture, subject to approval by the United States department of
15 education.

16 (4) First peoples' language/culture teacher certificates issued by
17 the state board of education or the professional educator standards
18 board under a pilot program before the effective date of this section
19 remain valid as certificates under this section, subject to the
20 provisions of this chapter.

21 (5) Schools and school districts on or near tribal reservations are
22 encouraged to contract with sovereign tribal governments whose
23 traditional lands and territories lie within the borders of the state
24 of Washington and first peoples' language and culture certification
25 programs for in-service teacher training and continuing education in
26 the culture appropriate for their geographic area, as well as suggested
27 pedagogy and instructional strategies.

28 **Sec. 3.** RCW 28A.415.020 and 2006 c 263 s 808 are each amended to
29 read as follows:

30 (1) Certificated personnel shall receive for each ten clock hours
31 of approved in-service training attended the equivalent of a one credit
32 college quarter course on the salary schedule developed by the
33 legislative evaluation and accountability program committee.

34 (2) Certificated personnel shall receive for each ten clock hours
35 of approved continuing education earned, as continuing education is
36 defined by rule adopted by the professional educator standards board,

1 the equivalent of a one credit college quarter course on the salary
2 schedule developed by the legislative evaluation and accountability
3 program committee.

4 (3) Certificated personnel shall receive for each forty clock hours
5 of participation in an approved internship with a business, an
6 industry, or government, as an internship is defined by rule of the
7 professional educator standards board in accordance with RCW
8 28A.415.025, the equivalent of a one credit college quarter course on
9 the salary schedule developed by the legislative evaluation and
10 accountability program committee.

11 (4) An approved in-service training program shall be a program
12 approved by a school district board of directors, which meet standards
13 adopted by the professional educator standards board, and the
14 development of said program has been participated in by an in-service
15 training task force whose membership is the same as provided under RCW
16 28A.415.040, or a program offered by an education agency approved to
17 provide in-service for the purposes of continuing education as provided
18 for under rules adopted by the professional educator standards board,
19 or both.

20 (5) Clock hours eligible for application to the salary schedule
21 developed by the legislative evaluation and accountability program
22 committee as described in subsections (1) and (2) of this section,
23 shall be those hours acquired after August 31, 1987. Clock hours
24 eligible for application to the salary schedule as described in
25 subsection (3) of this section shall be those hours acquired after
26 December 31, 1995.

27 (6) In-service training or continuing education in first peoples'
28 language or culture provided by a sovereign tribal government
29 participating in the Washington state first peoples' language and
30 culture program authorized under section 2 of this act shall be
31 considered approved in-service training or approved continuing
32 education under this section and RCW 28A.415.023.

33 NEW SECTION. **Sec. 4.** This act may be known and cited as the
34 "First peoples' language/culture teacher certification act: Honoring
35 our ancestors." "

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1 On page 1, line 2 of the title, after "program;" strike the
2 remainder of the title and insert "amending RCW 28A.415.020; adding a
3 new section to chapter 28A.410 RCW; and creating new sections."

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